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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CAROL MOORHOUSE and JAMES
MOORHOUSE,

Plaintiffs,

vs.

BAYER HEALTHCARE
PHARMACEUTICALS, INC.; BAYER
HEALTHCARE LLC; GENERAL ELECTRIC
COMPANY; GE HEALTHCARE, INC.;
COVIDIEN, INC.; MALLINCKRODT, INC.;
BRACCO DIAGNOSTICS, INC.; McKESSON
CORPORATION; MERRY X-RAY
CHEMICAL CORP.; and DOES 1 through 35

Defendants.

Case No: 3:08-cv-1831 EMC

(San Francisco County Superior Court,
Case No.: CGC-08-472978)

**DECLINATION TO PROCEED BEFORE A
MAGISTRATE JUDGE AND REQUEST
FOR REASSIGNMENT TO A UNITED
STATES DISTRICT JUDGE**

REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT JUDGE.

The undersigned party hereby declines to consent to the assignment of this case to a United States Magistrate Judge for trial and disposition and hereby requests the reassignment of this case to a United States District Judge.

Respectfully submitted this 9th day of April 2008.

LEVIN SIMES KAISER & GORNICK LLP

By: s/Debra DeCarli
Debra DeCarli, Esq.

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**PROOF OF SERVICE OF DECLINATION
TO PROCEED BEFORE A MAGISTRATE
JUDGE AND REQUEST FOR
REASSIGNMENT TO A UNITED STATES
DISTRICT JUDGE**

I certify that I am over the age of 18 years and not a party to the within action; that my business address is 44 Montgomery Street, 36th Floor, San Francisco, CA 94104; and that on this date I served a true copy of the document(s) entitled:

Service was effectuated by forwarding the above-noted document in the following manner:

**DECLINATION TO PROCEED BEFORE A MAGISTRATE JUDGE AND REQUEST
FOR REASSIGNMENT TO A UNITED STATES DISTRICT JUDGE**

1 **By Regular Mail** in a sealed envelope, addressed as noted above, with postage fully
2 prepaid and placing it for collection and mailing following the ordinary business practices of Levin
3 Simes Kaiser & Gornick.

4 **By Electronic Mail**

5 **By Hand Delivery** in a sealed envelope, addressed as noted above, through services
6 provided by the office of Levin Simes Kaiser & Gornick.

7 **By Facsimile** to the numbers as noted below by placing it for facsimile transmittal
8 following the ordinary business practices of Levin Simes Kaiser & Gornick.

9 **XX By Overnight Courier** in a sealed envelope, addressed as noted above, through
10 services provided by (Federal Express, UPS,) and billed to Levin Simes Kaiser & Gornick.

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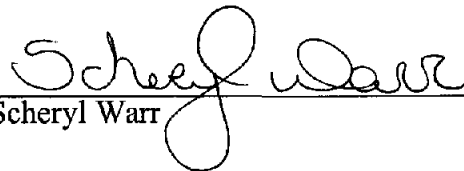
1 I provided the documents listed above electronically through the CM/ECF system pursuant to
2 the instructions set forth in the Local Rules for the United States District Court for the Central District
3 of California to:

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19 I declare under penalty of perjury that the foregoing is true and correct. Executed this 9th day of
20 April 2008 at San Francisco, California.

21 
22 Scheryl Warr